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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,359	08/29/2003	David W. Grunow	16356.821 (DC-05237)	1316
27683	7590	07/25/2005	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			PAPE, ZACHARY	
			ART UNIT	PAPER NUMBER

2835

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/652,359

Applicant(s)

GRUNOW ET AL.

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 5/26/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

The following office action is in response to applicant's correspondence filed 5/26/2005.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Won et al. (Patent # 6,744,627) in view of Hamamoto (Patent #6,209,105).

With respect to claim 10, Won et al. further teaches the use of a docking system operable to detachably dock a portable device, the system comprising: a pair each of moveable rear latches (67), wherein the pair of moveable rear latches (67) are operable to latch on to corresponding matching slots (17) of the portable device in response to an application of a substantially vertical force on the portable device for docking, and a pair of alignment pins, wherein the pair of alignment pins are operable to mate with corresponding notches on the portable device when the portable device is docked (See present office action Fig 1), and a plurality of side sections on the docking device, at least one of the side section including an alignment fin (See present office action Fig 1 below).

Won et al. fails to teach the use of moveable front latches and matching slots on the portable device. Hamamoto teaches the use of two pairs of latches (5, 6) one pair in the front (near end 3D) and another in the rear (near end 6d) and corresponding slots (15) on the portable device (1). Further Hamamoto re-enforces the use of alignment pins (7) and their corresponding notches (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to duplicate the latches and matching slots of Won et al. to include a front pair of each to create a superior means of attaching the portable computer to the docking station. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

With respect to claim 11, Won et al. further teaches a substantially planar bottom section (surrounding 29), wherein the pair of moveable rear latches (17) and moveable front latches are affixed to the bottom section (As illustrated in Fig 1), wherein the pair of moveable rear latches and moveable front latches are aligned substantially perpendicular to the bottom section (As illustrated in Fig 1), a substantially planar top section (surrounding 17) being operative to receive a bottom section of the portable device for docking, wherein the top section includes openings (17) for the pair of moveable rear latches and moveable front latches to permit latching on to corresponding matching slots of the portable device when docked, (Column 5, Lines 28-34) wherein the docking causes the pair of alignment pins included in the top section to

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mate with the corresponding notches, wherein at least one of the side sections includes a release latch (53) operable to undock the portable device.

With respect to claim 12, Won et al. further teaches that the top section includes at least one electrical connector for electrically coupling the portable device to the docking device when docked. (Column 3, Lines 48-52)

With respect to claim 13, Won et al. further teaches that applying a vertical force on the portable device causes the pair of moveable rear latches (67) and moveable front latches to be slightly moved in an outwardly or inwardly direction. (Hole 25 allows for the latch (67) to move outward when a vertical force from the computer comes in contact with them as indicated by the slight angle (Best illustrated in Fig 4a) on the hook member of 67).

With respect to claim 14, Won et al. further teaches that the slight movement of the pair of the moveable rear latches and moveable front latches enables the corresponding matching slots to latch in response to the vertical force. (If a vertical force is applied as described in claim 13 above, after the latches are temporarily displaced in the provided groove (25), upon alignment of the matching slots the force on the hook from the spring will allow for the hook to enter into the slot and effectively latch the docking station to the computer).

With respect to claim 15, Won et al. teaches that the hook member (67) is displaced as described in claim 13 above, but fails to teach of a specific value (angle). It would have been obvious to one of ordinary skill in the art at the time the invention was made to displace the hook member (67) by 20 degrees since it has been held that

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discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). Displacing the hook member by only 20 degrees will allow for the hook to displace enough to allow it to latch to the mating piece, but will not damage the hook structure (I.E. displacing the hook to much could damage the hook).

With respect to claim 16, Won et al. further teaches that the pair of moveable rear latches and the moveable front latches include a spring mechanism (Fig 4a, 45a(45b), 4b) capable of providing a lateral force to latch the portable device in response to the vertical force, wherein the spring mechanism is in a loaded position while the portable device is being docked and in an unloaded position when the portable device is docked. (Column 4, Line 32 – Column 5, Line 52).

With respect to claim 17, Won et al. further teaches that the docking system substantially resembles a rectangular prism.

With respect to claim 18, Won et al. teaches the use of an information handling system (11) comprising: a portable device, wherein the portable device includes: a processor, a system bus, a memory coupled to the processor through the system bus, (all such components are inherent in a computer as described by Won et al.) and a docking device (21) having at least one peripheral device (Column 1, Lines 28-31, Column 5, Lines 61-67), wherein the docking device is operable to detachably dock the portable device (via hooks 67), wherein the docking device includes: a pair each of moveable rear latches (67), wherein the pair of moveable rear latches are operable to latch on to corresponding matching slots (17) of the portable device in response to an

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application of a substantially vertical force on the portable device for docking, a plurality of side sections on the docking device (As illustrate in the present office action Fig 1 below), at least one of the side sections including an alignment fin (Present office action Fig 1 below); a pair of alignment pins (See present office action Fig 1), wherein the pair of alignment pins are operable to mate with corresponding notches (See present office action Fig 1) on the portable device when the portable device is docked, and a connector (29) to electrically couple the processor and the at least one peripheral device when the portable device is docked (Column 3, Lines 49-52).

Won et al. fails to teach the use of moveable front latches and matching slots on the portable device. Hamamoto teaches the use of 2 pairs of latches (5, 6) one pair in the front (near end 3D) and another in the rear (near end 6d) and corresponding slots (15) on the portable device (1). Further Hamamoto re-enforces the use of alignment pins (7) and their corresponding notches (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to duplicate the latches and matching slots of Won et al. to include a front pair of each to create a superior means of attaching the portable computer to the docking station. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

With respect to claim 19, Won et al. further teaches that applying a vertical force causes the pair of moveable rear latches (67) and moveable front latches to be slightly moved in an outwardly or inwardly direction. (Hole 25 allows for the latch (67) to move

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outward when a vertical force from the computer comes in contact with them as indicated by the slight angle (Best illustrated in Fig 4a) on the hook member of 67).

With respect to claim 20, Won et al. further teaches that the pair of moveable rear latches and the moveable front latches include a spring mechanism (Fig 4a, 45a(45b), 4b) capable of providing a lateral force to latch the portable device in response to the vertical force, wherein the spring mechanism is in a loaded position while the portable device is being docked and in an unloaded position when the portable device is docked. (Column 4, Line 32 – Column 5, Line 52).

With respect to claim 21 won et al. teaches the use of an information handling system comprising: a portable device (11), wherein the portable device includes: a chassis, a microprocessor mounted in the chassis, a storage device coupled to the microprocessor (inherently a computer must contain a chassis, a microprocessor, and a storage device), and a docking device (21) having at least one peripheral device (Column 1, Lines 28-31, Column 5, Lines 61-67), wherein the docking device is operable to detachably dock the portable device (via hooks 67), wherein the docking device includes: a pair each of moveable rear latches (67), wherein the pair of moveable rear latches are operable to latch on to corresponding matching slots (17) of the portable device in response to an application of a substantially vertical force on the portable device for docking, a plurality of side sections on the docking device, at least one of the side sections including an alignment fin (See present office action Fig 1 below) a pair of alignment pins (See present office action Fig 1), wherein the pair of alignment pins are operable to mate with corresponding notches (See present office



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action Fig 1) on the portable device when the portable device is docked, and a connector (29) to electrically couple the processor and the at least one peripheral device when the portable device is docked (Column 3, Lines 49-52).

Won et al. fails to teach the use of moveable front latches and matching slots on the portable device. Hamamoto teaches the use of 2 pairs of latches (5, 6) one pair in the front (near end 3D) and another in the rear (near end 6d) and corresponding slots (15) on the portable device (1). Further Hamamoto re-enforces the use of alignment pins (7) and their corresponding notches (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to duplicate the latches and matching slots of Won et al. to include a front pair of each to create a superior means of attaching the portable computer to the docking station. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

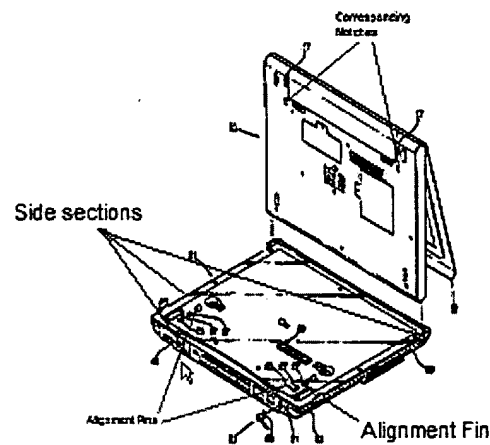
With respect to claim 1, Won et al. further teaches a method for detachably docking a portable device to a docking device, the method comprising: placing the docking device (21) on a stable surface (100), wherein the docking device includes a pair of moveable rear latches (67), aligning the portable device (19) with the docking device in a substantially vertical direction (As illustrated in Fig 1) applying a substantially vertical force on the portable device to cause the docking, wherein the pair of moveable rear latches are operable to movably latch on to corresponding matching slots (17) of the portable device when docked, and providing a plurality of side sections on the

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docking device, at least one of the side sections including an alignment fin (See present office action Fig 1 below).

Won et al. fails to teach the use of moveable front latches and matching slots on the portable device. Hamamoto teaches the use of two pairs of latches (5, 6) one pair in the front (near end 3D) and another in the rear (near end 6d) and corresponding slots (15) on the portable device (1). Further Hamamoto re-enforces the use of alignment pins (7) and their corresponding notches (16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to duplicate the latches and matching slots of Won et al. to include a front pair of each to create a superior means of attaching the portable computer to the docking station. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)). Additionally when the docking and portable devices of Won et al. are operated as set forth in claim 1 above, the front latches and corresponding slots of the combined Won et al. and Hamamoto teachings would operate in the same manner as the rear latches and corresponding slots.

With respect to claim 2, Won et al. teaches the use of alignment pins included in the docking device with corresponding notches on the portable device. (See present office action Fig 1).



**Fig 1**

With respect to claim 3, the application of the vertical force (to the computer 11 of Won et al.) causes the pair of alignment pins to mate with the corresponding notches.

With respect to claim 4, Won et al. further teaches a substantially planar bottom section (surrounding 29), capable of being placed on a stable surface, wherein the pair of moveable rear latches (17) and moveable front latches are affixed to the bottom section, wherein the pair of moveable rear latches and moveable front latches are aligned substantially perpendicular to the bottom section (As illustrated in Fig 1), a substantially planar top section (surrounding 17) of the portable device for docking, wherein the top section includes openings (17) for the pair of moveable rear latches and moveable front latches to permit latching on to corresponding matching slots of the portable device when docked, (Column 5, Lines 28-34) wherein the docking causes the pair of alignment pins included in the top section to mate with the corresponding notches, wherein at least one of the side sections includes a release latch (53) operable to undock the portable device.

With respect to claim 5, Won et al. further teaches that the top section includes at least one electrical connector for electrically coupling the portable device to the docking device when docked. (Column 3, Lines 48-52)

With respect to claim 6, Won et al. further teaches that applying a vertical force causes the pair of moveable rear latches (67) and moveable front latches to be slightly moved in an outwardly or inwardly direction. (Hole 25 allows for the latch (67) to move outward when a vertical force from the computer comes in contact with them as indicated by the slight angle (Best illustrated in Fig 4a) on the hook member of 67).

With respect to claim 7, Won et al. further teaches that the slight movement of the pair of the moveable rear latches and moveable front latches enables the corresponding matching slots to latch in response to the vertical force. (If a vertical force is applied as described in claim 6 above, after the latches are temporarily displaced in the provided groove, upon alignment of the matching slots the force on the hook from the spring will allow for the hook to enter into the slot and effectively latch the docking station to the computer).

With respect to claim 8, Won et al. teaches that the hook member (67) is displaced as described in claim 6 above, but fails to teach of a specific value (angle). It would have been obvious to one of ordinary skill in the art at the time the invention was made to displace the hook member (67) by 20 degrees since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). Displacing the hook member by only 20 degrees will allow for the hook to displace enough to allow it to latch

to the mating piece, but will not damage the hook structure (I.E. displacing the hook to much could damage the hook).

With respect to claim 9, Won et al. further teaches that the pair of moveable rear latches and the moveable front latches include a spring mechanism (Fig 4a, 45a(45b), 4b) capable of providing a lateral force to latch the portable device in response to the vertical force, wherein the spring mechanism is in a loaded position while the portable device is being docked and in an unloaded position when the portable device is docked. (Column 4, Line 32 – Column 5, Line 52).

### ***Response to Arguments***

2. Applicant's arguments filed 5/26/2005 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the knowledge is generally available to one of ordinary skill in the art. For example, combining the multiple latching feature of Hamamoto with the docking and computer device of Won et al. is within the knowledge and ability of one of ordinary skill in the art for at least the reason that adding more latches will further secure the computer device to the docking

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device. Additionally, the Hamamoto reference is even shown in the same environment as that of the Won et al reference, having both a docking device (2) and a computer device (1). This further suggests to one of ordinary skill in the art that the two references could be combined to form a superior latching system.

In response to applicant's argument that the Hamamoto reference fails to have motivation stated within the body of the reference, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In the instant case the examiner believes that requiring two sets of latching devices (both front and rear) is within the level of knowledge of one of ordinary skill at the time the invention was made since using multiple latches to connect two devices is so notoriously old and well known across an array of different arts. Additionally it has

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been held that mere duplication of the essential working parts of a device involves only routine skill in the art. (St. Regis Paper Co. v. Bemis Co., 193 USPQ8).

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached at Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP

  
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